

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA

v.

BREANNA SLUDER,

Defendant.

)
)
)
)
)
)
)

No. 3:21-CR-49

Judge CRYTZER

DEFENDANT'S SENTENCING MEMORANDUM

COMES NOW THE DEFENDANT, Breanna Sluder, by and through counsel, and submits the following sentencing memorandum in this case.

OFFENSE AND APPROPRIATE GUIDELINE RANGE

Ms. Sluder entered a plea to the offense of production of child pornography in violation of 18 U.S.C. §§ 2251(a) and 2251(e). Although her guideline range is life, her offense of conviction carries a statutory maximum sentence of 30 years in prison, making her restricted guideline range 30 years.

18 U.S.C. 3553(a) FACTORS FOR THE COURT TO CONSIDER

The parties have agreed that, pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure, and subject to this Honorable Court's approval, the appropriate sentence in this case is the maximum sentence allowed by law, that being 30 years' imprisonment. Such a sentence is appropriate given the circumstances of the offense. Although the facts of the offense are no doubt disturbing and concerning to the Court, a sentence of 30 years is the sentence which Congress has set for the maximum period for this offense. With that in mind, a brief review of the sentencing factors may be helpful to this Honorable Court in evaluating the appropriateness of the parties' agreement as to sentence.

Ms. Sluder's childhood was a difficult mix of lack of parental involvement and a child suffering from developmental delays and mental health problems. Her mother was inattentive and as a young child Ms. Sluder was sexually assaulted by a relative. Ms. Sluder suffered from an early age with schizophrenia and bipolar disorder and engaged in self-harm as an adolescent and a teen, including attempts at suicide as a teenager. Although her mental health problems were diagnosed when she was just starting high school, she has rarely been able to access and maintain regular and consistent mental health treatment. Her involvement in this case is impossible to justify, but it is hoped that an understanding of this background and the underlying difficulty will help the Court to see that regular and appropriate mental health treatment is the key to Ms. Sluder's post-incarceration success.

Ms. Sluder would suggest to this Honorable Court that the recommended sentence, it being the statutory maximum, is sufficient but not greater than necessary to accomplish the goals of sentencing – that is it is adequate in terms of the seriousness of the offense, the need to promote respect for the law and issue just punishment, the need to afford specific and general deterrence, to protect the community, and to serve the needs of the defendant.

Ms. Sluder respectfully requests that this Honorable Court order that she receive a physical and mental health examination and treatment while in the custody of the Bureau of Prisons

CONCLUSION

For the foregoing reasons, Ms. Sluder urges this Honorable Court to accept the agreement of the parties and to enter a sentence at the statutory maximum of 30 years.

Respectfully submitted this the 21nd day of November,



Joshua D. Hedrick,
BPR # 025444
Whitt, Cooper, Hedrick & Wojcik
607 Market St.
Suite 1100
Knoxville, TN 37902
(865) 524-8106

Attorney for Ms. Sluder

CERTIFICATE OF SERVICE

I hereby certify that on November 21, 2021, a copy of the foregoing memorandum was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other interested parties will be served by regular US Mail. Parties may access this filing through the Court's electronic filing system.



Joshua D. Hedrick,
Attorney for Ms. Sluder